

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mohammad M. Samii

Confirmation No.:

Application No.: 10/634,424

Examiner: Stephen D. Meier

Filing Date: Aug. 5, 2003

Group Art Unit: 2853

Title: PHOTOSENSOR ACTIVATION OF AN EJECTION ELEMENT OF A FLUID-EJECTION DEVICE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail Stop Non-Fee Amendment")
(X) Other: Corrected "Amend to Claims" section (3pgs) (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	15	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: Jan. 29, 2004

Typed Name: Jeff A. Holmen

Signature: Jeff A. Holmen

Respectfully submitted,

Mohammad M. Samii

By Jeff A. Holmen

Jeff A. Holmen

Attorney/Agent for Applicant(s)
Reg. No. 38,492

Date: Jan. 29, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mohammad M. Samii Examiner: Stephen D. Meier
Serial No. 10/634,424 Group Art Unit: 2853
Filed: August 5, 2003 Docket No.: 200205843-6 (H301.272.102)
Due Date: February 21, 2004
Title: PHOTOSENSOR ACTIVATION OF AN EJECTION ELEMENT OF A
FLUID-EJECTION DEVICE

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Communication is in response to the "Notice of Non-Compliant Amendment" (see enclosed copy) mailed on January 21, 2004.

The Preliminary Amendment filed on August 5, 2003 was viewed as not fully complying with the requirements of the revised amendment practice guidelines. The Preliminary Amendment was deemed non-compliant because "claim 20" was "not present". With this Communication, a corrected "Amendments to the Claims" section of the August 5, 2003 Preliminary Amendment document is re-submitted.

Applicant assumes the Preliminary Amendment is now compliant and is now in proper order and condition for examination. A fee is not required with this Response, however at any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025.

Any inquiry regarding this Communication should be directed to Dmitry Milikovsky at Telephone No. (858) 655-3251, Facsimile No. (858) 655-3251 or Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Response to Notice of Non-Compliant Amendment

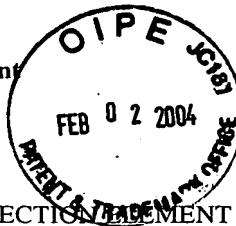
Applicant: Mohammad M. Samii

Serial No.: 10/634,424

Filed: August 5, 2003

Docket No.: 200205843-6

Title: PHOTSENSOR ACTIVATION OF AN EJECTION MECHANISM OF A FLUID-EJECTION DEVICE



Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Mohammad M. Samii,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-0178
Facsimile: (612) 573-2005

Dated: _____

1/29/04

JAH:jmc



Jeff A. Holmen

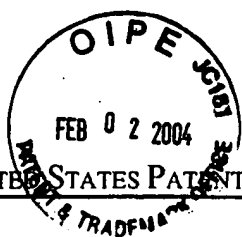
Reg. No. 38,492

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29th day of January, 2004.

By _____

Name: Jeff A. Holmen



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,424	08/05/2003	Mohammad M. Samii	200205843-6	7791

7590 01/21/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

MEIER, STEPHEN D

ART UNIT PAPER NUMBER

2853

DATE MAILED: 01/21/2004

received
1/21/2004

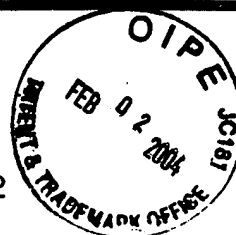
Please find below and/or attached an Office communication concerning this application or proceeding.

DS: ✓ 2/21/04

non compliant

Julianne M. Christiansen - HP PDNO 200205843-6/Your Ref.: H301.272.102

From: "Hinkle, Betty J" <betty.j.hinkle@hp.com>
To: <jholmen@dbclaw.com>
Date: 1/29/2004 1:12 PM
Subject: HP PDNO 200205843-6/Your Ref.: H301.272.102
CC: "Jolene Neby (E-mail)" <jneby@dbclaw.com>



Title: Photosensor Activation Of An Ejection Element Of A Fluid Ejection Device
S/N: 10/634424
Filed: August 5, 2003

Jeff,

The above-mentioned patent application has been issued an Office Action. Listed below is a description of the attached file:

1. Office Action **US NON-COMPLIANT AMENDMENT** dtd 01/21/2004

This response is due in the USPTO by: **February 21, 2004**

Please remember to fax a copy of the transmittal letter to HP on the day your response is mailed to the USPTO. Also, be sure to send a copy of all filing documents for our file within one week from filing the response.

If you have any questions or if this does not come over completely, let me know.

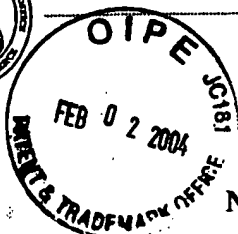
May I ask that you acknowledge receipt of this email message and its attachments.

Thank you,

Betty Hinkle
Boise Site Legal Department
(208) 396-5808



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 8-5-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
 - ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claim 20 is not present

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

E. Willis
Legal Instruments Examiner (LIE)

Telephone No.